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Amendment To The Drawings:

The attached sheet of drawings includes the deletion of Figure 7 without prejudice, as Figure 7 shows a non-elected species.

Attachment: Replacement Sheet

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REMARKS

Applicants affirm election, without traverse, of Species III (Fig. 1, 4, 5A, 5B, and 6) with claims 1-4, 8-10, 12-14, and 16-19 readable thereon. By this Amendment, claims 5-7, 11, 15, and 20 have been withdrawn for possible consideration in a continuing application.

In the Action, the Examiner objected to the drawings for not showing viscous fluid as recited in claims 11, 15, and 20. However, with this Amendment, claims 11, 15, and 20 have been withdrawn from consideration thus rendering the objection to the drawings moot. Also, the specification was objected to because of an informality which has been corrected by this Amendment.

As to the merits, claims 12 and 16 were rejected as being indefinite. The Examiner stated that he will examine the claims as best understood by him to mean the drive mechanism "engaging" the switch device rather than being "coupled to" the switch device. In response, Applicants have amended claims 12 and 16 to clarify the subject matter therein as originally intended by the Applicants and as understood by the Examiner. The Examiner's assistance is noted and appreciated.

Claims 1-4, 8, 9, 12, 13, and 16-18 were rejected as obvious over the Geil reference (U.S. Patent No. 6,181,024) in view of the Lambert reference (U.S. Patent No. 6,227,581). Also, claims 10, 14, and 19 were rejected as obvious over the Geil reference in view of the Lambert reference and further in view of the Champ reference (U.S. Publication No. 2004/0256776). However, independent claims 1, 12, and 16 have been amended to overcome these rejections. In particular, none of the prior art references, whether taken individually or in any permissible combination, teaches a door handle assembly with a door handle movable only in an outboard direction for both actuating a passively-actuated vehicle system and unlatching the vehicle door.

The Geil reference (col.1, lines 53-58; col. 2, lines 14-18 and lines 31-34) discloses a handle that is moved in one direction to actuate a vehicle lock system and then in the opposite direction to open the door. Thus, the Geil reference does not teach or suggest a door handle movable in a single outboard direction for both actuating a vehicle system and unlatching the door.

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In addition, modifying the Geil reference to reconstruct the claimed invention would render the prior art unsatisfactory for its intended purpose under Section 2143.01(V) of the Manual of Patent Examining Procedure. Specifically, in the Geil reference, movement of the handle in two directions is intended to differentiate two clearly separated operating procedures and provide sufficient time for query protocol and mechanical unlocking. Modifying the Geil reference such that the handle is moved in a single direction would ostensibly commingle the two procedures into one procedure and decrease the time for query protocol and mechanical unlocking.

The Lambert reference (col. 2, line 52 to col. 3) discloses a handle that is movable in two separate directions for respectively engaging a switch and unlatching a latch assembly. In fact, moving the Lambert handle in one direction to engage the switch also *locks* the latch assembly, while moving the claimed handle in one direction engages a switch device and *unlatches* the door. Additionally, the Lambert reference fails to teach or suggest the claimed vehicle-based transceiver, portable transponder, and damping mechanism.

The Champ reference is directed to a lever assembly with a gas compression device for damping movement of the lever assembly. However, the Champ reference fails to teach or suggest a door handle assembly with a door handle movable only in an outboard direction for both actuating a passively-actuated vehicle system and unlatching the vehicle door. Moreover, the Champ reference does not disclose the claimed vehicle-based transceiver and portable transponder.

For at least the above reasons, the claimed invention is nonobvious and allowable notwithstanding the Geil reference, the Lambert reference, and the Champ reference.

Also, by this Amendment, claims 14, 18 and 19 have been amended to correct minor typographical errors and to depend those claims from their closest preceding independent claims as Applicants had originally intended.

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In view of the foregoing, all of the claims remaining in the case, namely claims 1-4, 8-10, 12-14, and 16-19, are in proper form and patentably distinguish from the prior art. Accordingly, allowance of the claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,
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